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Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods

REPORT OF THE SESSION

Held in Geneva from 11 to 21 September 2007*

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*For practical reasons the annexes to this report have been published in addenda under symbols
ECE/TRANS/WP.15/AC.1/108/Add.1-Add.3*

Annexes

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| Annex I: Report of the working group on tanks | ECE/TRANS/WP.15/AC.1/108/Add.1 |
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I. ATTENDANCE

1. The Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods of the United Nations Economic Commission for Europe (ECE) was held in Geneva from 11 to 21 September 2007 with Mr. C. Pfauvadel (France) as Chairman and Mr. H. Rein (Germany) as Vice-Chairman. Representatives of the following countries took part in the work of the session: Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America. The European Commission and the European Railway Agency were also represented. The following intergovernmental organization was represented: the Organization for Cooperation between Railways (OSJD). The following international non-governmental organizations were represented: European Aerosol Federation (FEA); European Chemical Industry Council (CEFIC); European Committee for Standardization (CEN); European Cylinder Makers Association (ECMA); European Cosmetic, Toiletry and Perfumery Association (COLIPA); European Industrial Gases Association (EIGA); European Liquefied Petroleum Gas Association (AEGPL); European Portable Battery Association (EPBA); International Association for Soaps, Detergents and Maintenance Products (AISE); International Union of Railways (UIC); International Union of Private Wagons (UIP); International Road Transport Union (IRU); Liaison Committee of Coachwork and Trailer Builders (CLCCR); Printing Ink and Artists' Colour Industry (CEPE); and Sporting Arms and Manufacturers' Institute (SAAMI).

II. ADOPTION OF THE AGENDA (agenda item 1)

2. Following a statement by the new Director of the ECE Transport Division, Ms. Eva Molnar, the Joint Meeting adopted the agenda proposed by the secretariat in documents ECE/TRANS/WP.15/AC.1/107 and Add.1 (letter A 81-02/502.2007 from OTIF), as updated by informal documents INF.2/Rev.1 and INF.6.

III. TANKS (agenda item 2)

Documents: ECE/TRANS/WP.15/AC.1/2007/29 (Belgium)
 ECE/TRANS/WP.15/AC.1/2007/33 (Spain)
 ECE/TRANS/WP.15/AC.1/2007/36 (Belgium)
 ECE/TRANS/WP.15/AC.1/2007/37 (Switzerland)
 ECE/TRANS/WP.15/AC.1/2007/38 (Switzerland)
 ECE/TRANS/WP.15/AC.1/2007/53 (France)
 ECE/TRANS/WP.15/AC.1/2007/54 (France)
 ECE/TRANS/WP.15/AC.1/2007/55 (Secretariat)

Informal documents: INF.11 (EIGA)
 INF.16 (Spain)
 INF.22 (UIP)
 INF.26 (Netherlands)

INF.27 (France)
INF.29 (AEGPL)
INF.30 (AEGPL)
INF.33 (Secretariat)
INF.42 (France)

3. Following a brief discussion in plenary meeting, consideration of the documents in question was entrusted to the working group on tanks, which met concurrently from 11 to 13 September 2007 with Mr. J. Ludwig (Germany) as chair.

Report of the working group on tanks

Informal documents: INF.52 (Germany)
INF.53 (Germany)

4. The report may be found in annex I (ECE/TRANS/WP.15/AC.1/108/Add.1). The following decisions were taken on the points in the report.

Point 1: Degree of filling of tanks

5. The Joint Meeting adopted the amendments proposed by the working group (see annex II). The representative of Belgium would submit an appropriate proposal relating to chapter 6.7 (ST/SQ/AC.10/C.3/2007/56) to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods.

Point 2: Tanks divided by partitions or surge-plates, intended for liquefied gases

6. The proposal by the working group to replace 4.3.2.2.4 with the text in brackets in document ECE/TRANS/WP.15/AC.1/106/Add.2 was adopted (see annex II).

Point 3: Transitional measures for tanks intended for liquefied gases divided by partitions or surge-plates

7. The principle of having two transitional measures was voted upon and adopted. The texts themselves were recast on the basis of a compromise (INF.53) (see annex II).

Point 4: Modification of tank codes

8. The proposed amendment was adopted (see annex II).

Point 5: Interpretation of 6.8.2.2.3

9. The Joint Meeting noted that the question would be taken up again at the next session, in the light of a document to be submitted by the chair of the working group.

Point 6: Refusal of certification following a negative inspection result

10. The representatives of Switzerland and Belgium requested that the issue of “tourism” of tanks should be taken up again at the plenary session. The Joint Meeting considered that a new discussion would be possible only during the next session, and the proposed amendments were adopted as a first step (see annex II).

Point 7: Contents of the tank record

11. The representative of Switzerland was asked to submit a revised proposal for the next session.

Point 8: Application of the requirements of 6.8.2.1.7 to tanks intended for the carriage of refrigerated liquefied gases

12. The working group’s proposal was adopted (see annex II).

Point 9: Heat treatment

13. The representative of France was requested to revert to the issue at the next session, taking into account the text of RID and the proposal by Germany.

Point 10: Transitional measures for tanks constructed according to standards

14. The proposal was adopted, as were the corresponding amendments for subsection 6.8.3.6, prepared by the ECE secretariat during the session (see annex II).

Point 11: Internal safety device

15. The Joint Meeting took note of the working group’s position.

Point 12: Definition of “mild steel”

16. The Joint Meeting took note of the working group’s suggestion, namely, that the issue should be raised with the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods or dealt with in the framework of RID/ADR/ADN on the basis of an official proposal.

Point 13: Vacuum-operated waste tanks

17. The working group did not believe that the issue of the carriage of non-waste substances in vacuum-operated waste tanks required any amendment to the texts. It was pointed out that the issue had already been decided in a 2002 report of the Joint Meeting (TRANS/WP.15/AC.1/88, paras. 78-83). The representative of the Netherlands was requested to submit a new proposal if he wished to pursue that question.

Point 14: Effect on RID/ADR tanks of the new UN Recommendations

18. The working group's proposal regarding tank codes was adopted (see annex II). The possible effects of the amendments to the instructions for carriage in portable tanks on transport in RID/ADR tanks, in particular in the case of substances still not authorized by RID/ADR/ADN for carriage in tanks, would be taken up in a proposal to be submitted by the United Kingdom to WP.15 and the RID Committee of Experts. If there was no consensus between WP.15 and the RID Committee of Experts on certain substances, a decision could be taken only at the next session of the Joint Meeting.

Point 15: Paragraph 1.4.2.2.1 (d)

19. The amendment proposed by the working group was adopted (see annex II).

Point 16: Duplex steel tanks

20. The Joint Meeting took note of the working group's position.

Point 17: Interpretation on dual certification

21. The representative of France said that he would revert to the issue at the next session.

IV. STANDARDS (agenda item 3)

A. ISO standards for chemical compatibility of packagings and IBCs

Informal documents: INF.14 (CEN)
INF.25 (CEN)

22. The representative of CEN drew attention to the issues raised in informal document INF.50 of the previous session: merging of the two packaging/IBC standards; reiteration of the provisions of RID/ADR, including the assimilation list, in the standards; and deletion of the same provisions in RID/ADR, so as to avoid duplication. Several representatives indicated that they could not support the deletion of certain regulatory provisions from RID/ADR. The Joint Meeting was of the view that it could only consider such a proposal for the amendment of RID/ADR on the basis of an official document and after familiarizing itself with the exact text of the standards concerned; that could be done at the next session.

23. The representative of CEN said that, in the light of the discussions, he would prepare a new proposal for a standard that would deal specifically with the relevant test methods, but would not contain a regulatory text.

B. Reference to ISO and EN standards

Document: ECE/TRANS/WP.15/AC.1/2007/31 (CEN)

Informal documents: INF.14 (CEN)
INF.25 (CEN)
INF.36 (Germany)
INF.51 (Report of the working group on standards)

24. The Joint Meeting had assigned consideration of the documents to the working group on standards, which met during the lunch breaks. After consideration of the report of the group, the Joint Meeting decided:

- (a) To adopt the references to standards prEN 14025:2008 and prEN 13094:2008. However, the references could be included only in ADR, subject to verification at the March 2008 session that the final standard would correspond to the adopted draft and that the definition standards would be published by May 2008. The references could only be included in RID following a procedure to be set out by the OTIF secretariat, in accordance with the status of ratification of the revised COTIF Convention;
- (b) To approve the references to standards EN 1439:2008, EN 1442:2006+A1/2007, EN 12493:2008, except Annex C, and EN 12252:2007, subject once again to their publication within the required time frame following the deadlines for the notification of amendments to RID and ADR;
- (c) At the next session, to take up once again the consideration of the draft standards that could not be approved at the current session for the reasons cited in the report of the Working Group, taking into account the progress that would be made in the meantime;
- (d) To remind standardization bodies that bringing the standards referred to in the RID/ADR provisions into line must remain a clear priority in the revision process;
- (e) To approve the principle whereby normative references in standards were an integral part of standards, and to delete from the forewords of the standards in question the paragraph mentioned in paragraph 4 of the report of the Working Group. It was necessary to ensure that all referenced standards in RID/ADR would be in conformity with the requirements of RID and ADR. CEN and the national standardization bodies concerned must make all the standards in question available to the competent RID and ADR authorities which might request them, for verification.

V. INTERPRETATION OF RID/ADR/ADN (agenda item 4)

Criteria for classification of liquids and solids

Document: ECE/TRANS/WP.15/AC.1/2007/61 (United States of America)

25. Consideration of the document was deferred to the next session.

VI. HARMONIZATION WITH THE UN RECOMMENDATIONS ON THE TRANSPORT OF DANGEROUS GOODS (agenda item 5)

A. Harmonization with the 15th revised edition of the UN Recommendations on the Transport of Dangerous Goods, Model Regulations

Document: ECE/TRANS/WP.15/AC.1/2007/30 and Add.1 (Secretariat)

26. The Joint Meeting considered the report of the Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods and adopted the proposed texts, subject to some amendments, taking into account the comments below (see annex II).

1. Definition of small containers (paras. 7-10 of the report)

27. The Joint Meeting noted that the proposed definition for small containers allowed such containers to be defined by either their outer dimensions or their internal volume, which could lead to inconsistencies. It was nonetheless decided to bring the definition into line with those contained in the UN Model Regulations and the IAEA Regulations, while specifying that the outer dimensions should be length, width and height, excluding for example the use of diagonal measurements (see annex II).

28. It was also decided to amend paragraph (a) of the definition of large containers accordingly (see annex II).

2. Carriage of infected animal carcasses (paras. 17-21 of the report) and authorization of packagings by the competent authority (paras. 37-41)

29. The issue gave rise to long discussions concerning the reference to the competent authority in packing instructions P099 and IBC99. Some representatives considered that the reference related to the competent authority of the country of origin. For others, taking into account the definition of competent authority, the text of 4.1.3.7, the reference in instruction LP99 to 4.1.3.7 and the very spirit of ADR and RID, a mere reference to the authority competent to authorize packagings not covered by the regulations, with no indication that the competent authority of a given country is meant, would in international carriage amount to requiring the consent of the competent authorities of all the countries concerned, i.e., a multilateral agreement procedure.

30. The Chairman requested the Joint Meeting to reach a decision on the principle of whether, in the case of carriage of animal material, the use of alternative packagings should be subject to multilateral agreement or could be authorized unilaterally by the competent authority of the country of origin.

31. The Joint Meeting decided by majority vote that, in the case of carriage of animal material, alternative packagings could be used with the unilateral authorization of the competent authority of the country of origin. A new subsection 4.1.8.7 was inserted to that effect; reference would be made thereto in instructions P620 and P650. Instruction P099 was deleted from the entries applicable to animal carcasses under UN Nos. 2814, 2900 and 3373 (see annex II).

32. The expiry date of the transitional measure in 1.6.1.16 was extended to 2014, and the phrase “of the country of origin”, qualifying “competent authority”, was deleted (see annex II).

3. Class 7 (paras. 11-16 of the report)

Document: ECE/TRANS/WP.15/AC.1/2007/58 (Germany)

Informal documents: INF.18 (Germany and OTIF)
INF.41 (Germany)

33. The proposed amendment to 4.1.9.1.3 was adopted (see annex II). The representative of Germany was requested to submit a similar proposal to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods.

34. Concerning paragraph 13 of the report, the Joint Meeting agreed to reproduce the provisions of paragraphs 1.7.2.5 and 1.7.2.6 not as requirements but as NOTES, given that they related not to transport conditions, but to emergency response measures (see annex II).

35. The proposals contained in document ECE/TRANS/WP.15/AC.1/2007/58 concerning excepted packages were adopted with some amendments (see annex II).

36. The proposals contained in informal document INF.18 were adopted, with the exception of those under points 3 and 4, which should first be discussed by the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods and IAEA. The amendment relating to 4.1.9.2.3 (b) under point 5 of the document was adopted but should also be the subject of a proposed amendment to the UN Model Regulations (see annex II).

37. The proposed amendment to the German version of 5.2.2.1.11, contained in informal document INF.41, was adopted (see annex II), but the one relating to 5.3.1.1.3 was withdrawn by the representative of Germany following a discussion.

4. Lithium batteries

38. The Working Group’s proposal to add a sentence to 2.2.9.1.7 was contested by the representative of Belgium but was adopted when put to a vote (see annex II).

5. BK1 bulk containers for solid environmentally hazardous substances of UN No. 3077 (para. 25 of the report)

39. The Joint Meeting decided, by a majority, that sheeted bulk containers (BK1) could be admitted for carriage by land of UN No. 3077 and that provision VV3/VW3 in column 17 should be replaced by provision VV1/VW1 for that UN number (see annex II).

6. Transitional provision for marking with the stacking load (1.6.1.15)

Informal document: INF.46 (Secretariat)

40. The Joint Meeting adopted the text proposed by the secretariat for transitional provision 1.6.1.15, with some editorial changes (see annex II).

7. Chapter 3.5. Dangerous goods packed in excepted quantities (paras. 29-34 of the report)

Informal document: INF.34 (Secretariat)

41. The inclusion of this new chapter was the subject of a very long and heated debate. In the view of some delegations there was no reason to complicate the current system by introducing provisions that were essentially for air transport; the harmonization that was expected to result from the provisions relating to limited quantities should make it possible to solve certain problems without resorting to a special exemption category. Others underscored the importance of multimodal harmonization, and emphasized that a rejection of the chapter could compromise the work under way in the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods, aimed at harmonizing provisions on limited quantities. In the end, the Joint Meeting decided by a large majority to introduce the provisions.

42. For the documentation called for under 3.5.6, some delegations considered that it was inappropriate to establish requirements that would be contingent on the existence of a document. It was nonetheless decided by a majority to retain the text in the United Nations Model Regulations as adopted by the Working Group, while specifying that the required entries could appear on just one of the documents accompanying the consignment (see annex II).

43. The addition of a subsection 5.2.1.8 (informal document INF.34) to indicate in chapter 5.2 that a mark was required for excepted quantities was not approved, as the marking requirement already existed in chapter 3.5, and such a reference was not called for in chapter 5.2 in the case of limited quantities.

44. Paragraph 3.5.6 on documentation was adopted with some amendments (see annex II).

45. The amendments to 3.5.1.2 proposed in informal document INF.34 were adopted (see annex II).

8. Special provision 335 (para. 26 of the report)

Informal document: INF.34 (Secretariat)

46. The amendment proposed in informal document INF.34 was adopted, along with the consequential amendment to special provision 654 (see annex II).

9. Packing instruction P804 (bromine)

Informal documents: INF.34 and INF.48 (Secretariat)

47. The amendment proposed in informal document INF.34 was adopted, as was the amendment recommended by the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (informal document INF.48) (see annex II).

48. The representative of the United Kingdom expressed regret at the amendments related to the decisions of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods, and suggested that a transitional provision should be inserted allowing for the use of

packing instruction P804 as contained in ECE/TRANS/WP.15/AC.1/2007/30/Add.1. It was pointed out that, for the time being, instruction P804 was not in RID, nor in ADR, and that it was therefore not legally possible to provide a transitional provision to that effect. The only transitional measure that could be considered would concern exclusively the prolonged use of instruction P601, currently applicable to the packing of bromine.

10. Paragraphs 5.2.2.2.1.3 and 5.2.2.2.1.4

Informal document: INF.34 (Secretariat)

49. The amendments proposed in informal document INF.34 were adopted (see annex II).

11. Paragraph 4.1.1

50. The additional amendment proposed in informal document INF.34 was adopted (see annex II).

12. Radioactive material in tanks (para. 47 of the report)

51. With regard to the carriage of LSA-III material, UN No. 3322, the Joint Meeting agreed to wait until discussions were held within IAEA and the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods before deciding whether to delete the tank-code for that UN number in RID/ADR/ADN.

13. Category B biological substances

52. Following the decisions taken on packaging for UN No. 3373, there was no longer any need to add that UN number in a new line in column 2 of 1.1.3.6.3, under the transport 4 category (see annex II).

14. Flash composition

Document: ECE/TRANS/WP.15/AC.1/2007/25 (Netherlands and Norway)

53. The Joint Meeting took note of the new definition of flash composition adopted by the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods. Given that the definition would enter into force in RID/ADR/ADN in 2009, the competent authorities were encouraged to take steps, under the default classification system (2.1.3.5.5), to ensure that due account was taken of that new definition. The representative of the United Kingdom cautioned, however, that the “time/pressure” test in the Manual of Tests and Criteria could change in the future.

15. Carriage of gas

Document: ECE/TRANS/WP.15/AC.1/2007/26 (EIGA)

54. The proposal to amend paragraphs 4.1.6.10 and 5.4.1.2.2 (b) was not supported by the Joint Meeting, since deletion of the words “including the intermediate carriage operations” would, among other things, mean that storage for an unlimited period was permitted.

B. Environmentally hazardous substances (aquatic environment)

Documents: TRANS/WP.15/AC.1/2003/56/Add.2 (Secretariat) (Report of the Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods (2003))
TRANS/WP.15/AC.1/2005/28 (Secretariat) (Aquatic pollutants)
TRANS/WP.15/AC.1/98 (paras. 31-38) (Report of the session held in Bern from 7 to 11 March 2005)
TRANS/WP.15/AC.1/100 (para. 65) (Report of the session held in Geneva from 13 to 23 September 2005)
ECE/TRANS/WP.15/AC.1/2007/30 (paras. 48 and 49) (Report of the Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods (22-24 May 2007))
ECE/TRANS/WP.15/AC.1/2007/51 (Netherlands)

Informal documents: INF.55 (Secretariat)
INF.14 (submitted at the March 2005 session) (Belgium)

55. The Joint Meeting considered the proposals made by the Netherlands in document ECE/TRANS/WP.15/AC.1/2007/51 in the light of the earlier discussions.

56. The first proposal, which sought to insert in RID/ADR/ADN the criteria for classifying substances hazardous to the aquatic environment contained in the UN Model Regulations and reproduced from the Globally Harmonized System of Classification and Labelling of Chemicals (GHS), was adopted by consensus with some amendments aimed at aligning the proposed texts with the most recent version of the Model Regulations (see annex II).

57. The second proposal concerned the adoption of the approach set forth in the provisions of the IMDG Code with regard to conditions of carriage for substances meeting the criteria for aquatic pollutants, rather than that recommended in the UN Model Regulations. In accordance with the Model Regulations, only substances assigned to UN Nos. 3077 or 3082 of Class 9 were subject to the marking, placarding and documentation requirements, whereas, under the IMDG Code and annex III to the MARPOL Convention, all substances of Classes 1-9 that met the criteria were subject to those requirements.

58. Some delegations considered that, for purposes of harmonization, the Joint Meeting should instead adopt the approach recommended in the UN Model Regulations. In their view, for land transport, most hazardous substances of Classes 1-9, other than those assigned to UN Nos. 3077 and 3082, could be regarded as potentially hazardous to the aquatic environment, and additional marking and documentation would do nothing to enhance security or environmental protection.

59. Others believed, on the contrary, that multimodal harmonization would be possible only with the adoption of the approach set forth in the IMDG Code, as the approach recommended in the UN Model Regulations had not been reproduced in the IMDG Code, and would not be in practice, since it did not fulfil the requirements of the MARPOL Convention. In addition, they considered that many hazardous substances of Classes 1-9 did not meet the criteria for aquatic

pollutants and that it would therefore be advisable, in land transport, in view of the measures to be taken in case of spillage, to indicate by means of marking whether the substance transported was an aquatic pollutant. It was noted, in that regard, that, besides the problem of groundwater pollution in case of spillage in road or rail transport, the risk of pollution in inland water transport was similar to that in maritime transport. In addition, they considered that it was also important to ensure harmonization with GHS throughout the distribution and usage chain for chemicals.

60. The principle of adopting the IMDG Code approach proposed by the Netherlands was put to the vote and was adopted.

61. The conditions of carriage proposed by the Netherlands were then considered in detail. The language concerning marking and placarding was adopted with some amendments (see annex II). On the other hand, it was decided by a vote not to require a reference in the transport document.

62. The representative of UIC wondered how carriers would be able to verify that the required marking had been done if they were not informed by consignors or their agents that the substances to be transported were pollutants.

63. The representative of CEFIC said that transitional measures should be envisaged in respect of the application of the new provisions. In addition, he indicated that it would be helpful if all the substances cited by name in table A in chapter 3.2 that were known to meet the criteria for aquatic pollutants could be identified, for example by means of a special provision applicable to them. He recalled a proposal to that effect, prepared by the secretariat in the context of the discussions within the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (informal document INF.9, submitted to the Sub-Committee at its twenty-sixth session in December 2004; see also ECE/TRANS/WP.15/AC.1/2007/51, para. 6).

64. After discussion of the subject of transitional measures, the Joint Meeting adopted paragraphs 1.6.1.17 and 2.2.9.1.10.5.2 prepared by the secretariat to reflect the decisions taken:

(a) Until 31 December 2010 it would not be mandatory to apply the classification criteria for goods hazardous to the aquatic environment or the marking provisions for substances of classes 1-8 or those under class 9 entries other than UN Nos. 3077 or 3082; such a transitional measure could be extended for solutions and mixtures as work developed for the implementation of GHS in European directives;

(b) Substances, solutions and mixtures assigned to letter N "Environmentally hazardous" (R50, R50/53, R51/53) under European directives 67/548/EEC or 1999/45/EC as amended, which were not under classes 1-8 or class 9 entries other than UN Nos. 3077 and 3082, should be classified under UN Nos. 3077 or 3082;

(c) Other substances, solutions and mixtures that were not under classes 1-8 or class 9 entries other than UN Nos. 3077 and 3082, and which, under the above-mentioned European directives, were assigned to letter N, should be classified under UN Nos. 3077 and 3082 if they met the criteria of 2.2.9.1.10.

VII. PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN (agenda item 6)

A. Pending issues

1. Chapter 6.2

Document: ECE/TRANS/WP.15/AC.1/106/Add.2 (texts in square brackets provisionally adopted at the previous session)

Informal document: INF.54 (Secretariat)

65. The Joint Meeting considered all the pending issues relating to the revision of chapter 6.2 in the order proposed by the secretariat, and adopted the decisions below, taking into consideration the relevant new proposals and comments.

Period of validity of type approval certificates and transition periods for standards 1.8.7.2

Document: ECE/TRANS/WP.15/AC.1/2007/42 (ECMA)

66. As the issues mentioned by ECMA in relation to the transition period would not arise until 2011, the Joint Meeting decided that the questions pertaining to the period of validity of type approval certificates and transitional measures in respect of standards could be considered in detail during the next biennium. ECMA proposed that such matters should be discussed in an informal working group, which it would organize. The representatives of Belgium, France, Germany, Switzerland and the United Kingdom said that they intended to take part.

Paragraph 1.8.7.1.1

Informal document: INF.32 (Switzerland)

67. The proposal to amend 1.8.7.1.1 and to refer in that paragraph to the table in 6.2.2.9 was adopted (see annex II).

Paragraph 1.8.7.7.1 (g)

Informal document: INF.8 (United Kingdom)

68. The proposal to amend 1.8.7.7.1 (g) was adopted (see annex II).

References to EN ISO standards

69. The Joint Meeting noted that, with the exception of ISO 10297:1999 in 6.2.2.3, for the time being, there was no EN ISO equivalent of the ISO standards referred to in 6.2.2.1.1, 6.2.2.1.2, 6.2.2.1.3, 6.2.2.2, 6.2.2.3 and 6.2.2.4. It was therefore decided to delete the text in square brackets in the tables when there was no EN ISO standard (see annex II).

Type C inspection bodies (paragraphs 6.2.2.9 and 6.2.3.6)

Documents: ECE/TRANS/WP.15/AC.1/2007/46 (Sweden)
ECE/TRANS/WP.15/AC.1/2007/48 (United Kingdom)

Informal documents: INF.4 and INF.50 (Sweden)

70. The Joint Meeting agreed that inspection bodies of type C under 1.8.4 that were accredited under EN ISO/IEC 17020:2004 should not be designated as competent bodies under equivalent procedures for conformity assessments and periodic inspections and tests, as they did not meet the required criteria of independence. Moreover, they were not authorized to carry out such inspections under the so-called “TPED” European directive.

71. The proposal by the United Kingdom to allow type B inspection bodies to inspect pressure receptacles belonging to other organizations was put to the vote and was rejected, as most delegations were opposed to departing from the internationally accepted definition of a type B inspection body.

Work of in-house inspection services (IS(1)) in the approval of non-UN pressure receptacles (6.2.3.6)

Document: ECE/TRANS/WP.15/AC.1/2007/44 (Sweden)

Informal documents: INF.28 (AEGPL)
INF.38 (France)
INF.49 (Sweden)

72. In its proposal, the Government of Sweden proposed that in-house inspection services (IS(1)) should no longer be authorized to carry out conformity assessments on pressure receptacles having a test pressure capacity product (PH.V) of not more than 30 MPa.litre (300 bar.litre). The reason was that, according to the texts proposed in 6.2.3.6.1, such in-house inspection services would not need to be under the supervision of an inspection body of type A and would need only to be certified according to ISO 9001:2004. In its opinion, they would therefore be no more independent than inspection bodies of type C and authorizing them to carry out such activities would be at variance with the TPED European directive.

73. The Chairman, summarizing the delegations’ views, emphasized that the work of such in-house inspection services (IS(1)) in the approval process was currently authorized in RID and ADR for non-UN receptacles and that the proposed amendment would have serious financial and organizational repercussions for the gas industry.

74. The Swedish proposal was put to the vote and was adopted by 9 votes to 2, with the required consequential amendments (see annex II).

Standards relating to chapter 6.2

Document: ECE/TRANS/WP.15/AC.1/2007/52 (France)

Informal documents: INF.24 (Secretariat)
INF.43 (AEGPL)
INF.44/Rev.1 (Secretariat)

75. The Joint Meeting adopted the proposed amendments to the tables of standards listed in 6.2.4 proposed by the secretariat, with some amendments (see annex II).

76. It also adopted a new sentence indicating that, when reference was made to different mandatory standards to meet a single provision, only one such standard should be chosen, but it should be applied in its entirety (see annex II).

Paragraphs 1.8.6.1 and 1.8.7.1.4

Informal document: INF.32 (Switzerland)

77. The Joint Meeting adopted the proposed amendments to paragraphs 1.8.6.1 and 1.8.7.1.4 (see annex II).

2. Other pending issues

Packing instruction P 903b

Informal document: INF.47 (EPBA)

78. Deletion of the bracketed requirement in packing instruction P 903b was not accepted by the Joint Meeting. The alternative proposal put forward orally by the representative of the Netherlands to add the words “except for the additional provision relating to cushioning material” to special provision 636 (b) (i) was also not adopted.

Training

Document: ECE/TRANS/WP.15/AC.1/2007/5 (Sweden)

79. The Joint Meeting noted that the amendments regarding training, which had been accepted by the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods in July 2007, were of a provisional nature until their definitive approval by the Committee in December 2008. A relevant provision was however added in a note to 1.3.1 (see annex II).

Orientation arrows

Document: ECE/TRANS/WP.15/AC.1/2007/2 (Austria)

Informal document: INF.40 (Austria)

80. The proposal on orientation arrows was adopted with a minor editorial correction (see annex II).

Provisions W10/V10, W11/V11, W12/V12

Document: ECE/TRANS/WP.15/AC.1/2007/6 (Secretariat of OTIF)

Informal document: INF.13 (United Kingdom)

81. The proposals by the OTIF secretariat relating to special provision W10/V10 were adopted. The observation contained in paragraph 7 should be submitted to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods.

82. As for the United Kingdom's second proposal relating to special provisions W11/V11 and W12/V12, as the first proposal had been withdrawn, the representative of the United Kingdom would submit a revised proposal to WP.15 and to the RID Committee of Experts for entry into force on 1 January 2009, or at the next session of the Joint Meeting if those two bodies failed to proceed with the matter or to reach agreement on it.

Packing instruction P650, paragraph 9 (a)

Document: ECE/TRANS/WP.15/AC.1/2007/9 (Austria)

Informal documents: INF.19 (EIGA) submitted at the March 2007 session
INF.31 (Belgium) submitted at the March 2007 session
INF.33 (Austria) submitted at the March 2007 session
INF.61 (United Kingdom)

83. The Joint Meeting adopted the proposal for insertion of a NOTE in paragraph 9 (a) of packing instruction P650, in order to clarify the conditions of carriage where refrigeration was by dry ice or liquid nitrogen (see annex II).

Exemptions related to carriage of lithium batteries

Document: ECE/TRANS/WP.15/AC.1/2007/14 (France)

Informal documents: INF.30 (CIT) submitted at the March 2007 session
INF.41 (Belgium) submitted at the March 2007 session

84. The Joint Meeting adopted a new paragraph 1.1.3.7 concerning exemptions for the carriage of lithium batteries contained in battery-powered vehicles or in equipment (see annex II).

Chapter 3.3, special provision 274

Document: ECE/TRANS/WP.15/AC.1/2007/43 (CEFIC)

Informal document: INF.3 (CEFIC)

85. It emerged from the discussion that the reasons for the assignment of special provision 274 to certain entries in RID/ADR but not in the UN Model Regulations were unclear. Some delegations considered it necessary to retain special provision 274 for entries to which it was not

assigned in the UN Model Regulations because it was important to indicate the technical name in maritime transport. Others pointed out that the justifications given by certain delegations in informal document INF.3 related solely to stowage and separation of substances for maritime transport, but that the IMDG Code itself did not require special provision 274 in most of the cases concerned. Accordingly, they were of the view that there was no need to retain the special provision when it was not required by the IMDG Code, the UN Model Regulations or the ICAO Technical Instructions.

86. Since no specific amendment had been put forward, the Joint Meeting decided to defer the debate to its next session; the representative of CEFIC said that he would organize a working group on the matter.

Packaging for retail

Document: ECE/TRANS/WP.15/AC.1/2007/22/Rev.1 (Sweden)

Informal document: INF.62 (Secretariat)

87. The Joint Meeting considered that the concept of packaging for retail in 1.1.3.1 (a) also applied to reusable packages brought by private individuals for refilling, for example petrol cans filled at petrol pumps.

88. After lengthy discussion, and taking into account the specific problem posed by a contrary interpretation reached by a court in Sweden, the Joint Meeting adopted a compromise proposal put forward by the secretariat, under which for reusable receptacles for the carriage of flammable liquids (of any class) the limit would be 60 litres per receptacle and 240 litres per transport unit (see annex II).

Maximum quantity per transport unit

Document: ECE/TRANS/WP.15/AC.1/2007/24 (Norway)

89. The proposal was adopted with some minor amendments (see annex II).

Minor variations in labelling models

Document: ECE/TRANS/WP.15/AC.1/2007/16 (CEFIC)

Informal document: INF.43 (Belgium) submitted at the March 2007 session

90. The Joint Meeting opted for the text in INF.43, which addressed only the minor variations in labelling models required for other modes of transport, i.e., under the IMDG Code and the ICAO Technical Instructions (see annex II). The secretariat was asked to make the reference models available on its website.

Special provision 654

Document: ECE/TRANS/WP.15/AC.1/106/Add.2

91. The Joint Meeting decided to remove the square brackets that appeared around the 60-litre limit in special provision 654.

B. New proposals

1. Orange-coloured plate marking - Paragraph 5.3.2.1.2 (RID)/5.3.2.1.6 (ADR)

Document: ECE/TRANS/WP.15/AC.1/2007/27 (Belgium)

92. The Joint Meeting confirmed that the provision in ADR 5.3.2.1.6 could apply only when the transport units were carrying only one and the same dangerous substance. It should not apply for example in the case of tank-vehicles carrying a dangerous substance in one compartment and one or more other substances not subject to ADR in other compartments. Paragraph 5.3.2.1.6 was amended to avoid any ambiguity in its interpretation (see annex II).

93. The representative of the United Kingdom noted that the amendment could have an undesired effect in the event of carriage of radioactive substances and that, if such were the case, he would prepare the required proposal for a future session.

2. Marking and labelling of overpacks

Document: ECE/TRANS/WP.15/AC.1/2007/28 (Belgium)

94. The Belgian proposal was adopted, as the Joint Meeting shared the opinion that when an overpack contained various dangerous substances under the same UN number, it was sufficient to mark the UN number only once on the overpack (see annex II).

3. “UN” marking of packagings

Document: ECE/TRANS/WP.15/AC.1/2007/32 (Secretariat)

95. The Joint Meeting adopted the secretariat’s proposal aimed at clarifying, in 6.1.3.1, the respective meanings of the “UN” symbol and the “RID/ADR” marking, with the exception of the phrase “as laid down in the UN Model Regulations” (see annex II). It was noted that the provisions of RID and ADR chapters 6.1 and 6.5 contained provisions additional to those in the UN Model Regulations in respect of chemical compatibility, but that the acceptance of packagings bearing the “UN” symbol from third countries not applying such additional provisions was governed by 4.1.1.16.

4. Cargo securing for dangerous goods vehicles

Document: ECE/TRANS/WP.15/AC.1/2007/41 (European Commission)

Informal document: INF.10 (EIGA)

96. A brief discussion indicated that, while certain delegations could support some parts of the proposal, there was no consensus on the proposal as a whole, and it was decided to defer discussion to the next session.

5. Application of 5.3.2.1.5 to closed and sheeted vehicles carrying tanks with a maximum capacity of 3,000 litres or less

Document: ECE/TRANS/WP.15/AC.1/2007/47 (CEFIC)

97. The proposal to add a NOTE to 5.3.2.1.5 to exempt vehicles or wagons carrying small tanks was adopted with some modifications (see annex II).

6. List of high consequence dangerous goods (1.10.5)

Document: ECE/TRANS/WP.15/AC.1/2007/50 (OTIF)

98. The proposal by the OTIF secretariat to amend 1.10.5 was adopted (see annex II).

7. Special provision 601 for UN No. 1204

Document: ECE/TRANS/WP.15/AC.1/2007/57 (France)

99. The proposal to exempt by means of provision 601 medicines containing a nitroglycerine solution in alcohol with not more than 1 per cent nitroglycerine from the provisions applicable to UN No. 1204 was adopted (see annex II).

VIII. REPORTS OF INFORMAL WORKING GROUPS (agenda item 7)

A. Dangerous goods packed in limited quantities

1. Work of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods

Informal document: INF.19 (Secretariat)

100. The Joint Meeting welcomed the progress made by the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods towards changing the provisions relating to the transport of dangerous goods in limited quantities, with a view to incorporating both the concept of limited quantities accepted by all modes of transport worldwide, and the concept of consumer commodities, more specific to air transport and to North America.

101. By an overwhelming majority, the Joint Meeting expressed the wish that the work should lead to an acceptable compromise in the interest of the harmonization and facilitation of multimodal transport. The wish was expressed, however, that the compromise should not be accompanied by the establishment of a variety of subcategories of limited quantities which would constitute specific cases, and that a single marking should not be interpreted in different ways depending upon the mode of transport.

2. Report of the working group on limited quantities

Document: ECE/TRANS/WP.15/AC.1/2007/60 (France)

Informal documents: INF.59 (Belgium, France, UIC)
INF.60 (Austria)

102. The text in document INF.59 which had been reworded to take into account specific features of rail transport (RID) was adopted with amendments (see annex II).

103. The proposal by Austria relating to section 3.4.8 (INF.60) was not approved, as the Joint Meeting preferred the original wording of document ECE/TRANS/WP.15/AC.1/2007/60 (see annex II).

104. In addition, the Joint Meeting decided to set the date for the transitional measure at 31 December 2010 (see annex II).

B. Report of the ad hoc working group to draft terms of reference, a work programme and a procedure for a working group on dangerous goods telematics in land transport

Informal document: INF.17 (OTIF)

105. The Joint Meeting approved the terms of reference and work programme for an ad hoc working group on dangerous goods telematics in land transport (see annex III).

C. Report of the informal working group on the reduction of the risk of a BLEVE

Informal document: INF.9 (Norway)

106. The Joint Meeting took note of the progress made. A new session would be held in Rome, and the delegations that had not previously taken part but that wished to do so were invited to contact the AEGPL representative.

IX. FUTURE WORK (agenda item 8)

107. The few documents that were not considered during the current session would be placed on the agenda of the next session, to be held in Bern from 25 to 28 March 2008.

108. Delegations that had submitted informal documents that had not been dealt with were asked to inform the secretariats whether they wished to have them placed on the agenda as official documents.

X. ELECTION OF OFFICERS FOR 2008 (agenda item 9)

109. On the proposal of the representative of Norway, Mr. C. Pfauvadel (France) and Mr. H. Rein (Germany) were respectively re-elected in their posts as Chairman and Vice-Chairman for 2008.

XI. MISCELLANEOUS (agenda item 10)

A. Relation between classification of dangerous goods and conditions of carriage

Document: ECE/TRANS/WP.15/AC.1/2007/7 (Netherlands)

Informal document: INF.6 (Netherlands) submitted at the September 2006 session

110. The Joint Meeting thanked the representative of the Netherlands for the considerable work done on the relation between classification of dangerous goods and conditions of carriage and for having thus made available a practical reference document for the use of other delegations and interested bodies.

B. Scope of RID/ADR/ADN

Document: ECE/TRANS/WP.15/AC.1/2007/56 (Belgium)

111. The Joint Meeting agreed that the questions put by Belgium would be considered in an informal working group which should meet in France at a date to be set later.

C. Tribute

112. The Joint Meeting was informed that the current session would be the last one in which Mr. Arne Johansen (Norway) and Mr. Hermann Puype (EIGA) would take part. It expressed its gratitude to them for their long and active contribution to its work, in particular thanking Mr. Johansen for giving it the benefit of his expertise on explosives and for having so adeptly presided over the Joint Meeting from 1996 to 2002, and Mr. Puype for having updated the provisions on the transport of gas and for having chaired several working groups on that subject. It expressed to both its best wishes for health and happiness during their retirement.

XII. ADOPTION OF THE REPORT (agenda item 11)

113. The Joint Meeting adopted the report of its autumn 2007 session and its annexes on the basis of a draft prepared by the secretariats.
